

CHAPTER NO. 938

SENATE BILL NO. 2766

By McNally, Kyle, Dixon

Substituted for: House Bill No. 2492

By Caldwell, Ferguson

AN ACT To amend Tennessee Code Annotated, Title 67, Chapter 5, Part 2, relative to property tax exemptions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 5, Part 2, is amended by adding the following new section:

Section 67-5-22 __. (a) Subject to the general requirements of Section 67-5-212, real and tangible personal property owned and used by a nonprofit economic and/or charitable development organization shall be eligible for property tax exemption as a charitable use of property where the provisions of this section are met. Real and tangible personal property owned by a nonprofit entity, whether charitable or otherwise, which entity is recognized as tax exempt by the Internal Revenue Service and is engaged in economic development, shall be eligible for property tax exemption to the extent such property is used to provide small business counseling and/or shared office and information systems infrastructure for small business development. Tangible personal property owned by a nonprofit charitable organization shall likewise be eligible for property tax exemption to the extent it is used to provide counseling and informational and technical assistance to other charitable organizations in applying for grants.

(b) Any owner of real or personal property claiming exemption under this section shall be required to file an application for exemption with the State Board of Equalization on the same form and in the same manner prescribed in Section 67-5-212(b).

(c) The provisions of this section shall only apply to counties containing a national laboratory facility or counties immediately adjacent to such counties.

SECTION 2. Tennessee Code Annotated, Section 67-5-212, is amended by adding the following sentence at the end of subsection (b)(1):


An application for exemption pursuant to this section or any other section referring to these procedures shall be treated as an appeal for purposes of Section 67-5-1512.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it, and shall apply to applications or appeals pending before the State Board of Equalization on the effective date of this act. Any application or appeal pending on the effective date of this act seeking exemption of property used for the purposes hereinabove described may be amended to reflect a change in ownership of the property if such amendment is filed with the State Board of Equalization within ninety (90) days from the effective date of this act. Any organization which has an application or appeal pending before the State Board of Equalization on the effective date of this act has ninety


(90) days from the effective date of this act to provide evidence of compliance with the terms of this act. The executive secretary of the state board may extend this ninety (90) day period for an additional ninety (90) days.

PASSED: June 8, 2000


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of June 2000


DON SUNDQUIST, GOVERNOR